

JUDGE ALAMIA

18 MISC 485

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Application for Exemption from
Electronic Public Access Fees by
New York Legal Assistance Group

Standing Order: M10-468

ORDER

PACER FEE EXEMPTION ORDER

This matter is before the court upon the application and request by Randal S. Jeffrey, General Counsel, on behalf of the New York Legal Assistance Group (the “Applicant”), for exemption from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts.

The Court finds, based upon the application dated October 15, 2018 describing the proposed use, the Applicant has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, the Applicant shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in connection with the project described in the attached application. The Applicant shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court. Additionally, the following limitations apply:

1. This fee exemption applies only to the Applicant, and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system.

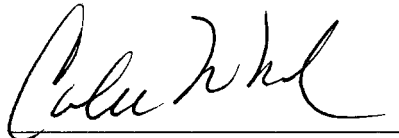
3. By accepting this exemption, the Applicant agrees not to sell for profit any data obtained as a result of receiving this exemption,
4. The Applicant is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet based databases.
5. This exemption is valid *nunc pro tunc* from September 19, 2018 until September 18, 2020.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: New York, New York

19 October, 2018

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Colleen McMahon', written over a horizontal line.

Colleen McMahon, Chief Judge
United States District Court
Southern District of New York



October 15, 2018

Ruby J. Krajick
Clerk of Court
Daniel Patrick Moynihan
U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: Request for Continuation of Discretionary Fee Exemption from the Electronic
Public Access Fee

Dear Mr. Krajick:

The New York Legal Assistance Group (NYLAG) is extremely pleased about the accomplishments of the Legal Clinic for Pro Se Litigants in the Southern District of New York (Clinic) and we continue to very much appreciate the support of the Court.

On behalf of NYLAG, and pursuant to Section 9 (Discretionary Fee Exemptions) of the Electronic Public Access Fee Schedule, I respectfully request that the United States District Court for the Southern District of New York continue to exempt NYLAG staff working at the Clinic from payment of the user access fee. We seek this exemption in order to further the goal of the Clinic to assist pro se litigants. NYLAG is a Section 501(c)(3) not-for-profit organization that provides free civil legal services to low-income New Yorkers who cannot afford attorneys. We do not charge our clients for our services, and will not charge any litigants for Clinic services. Given the high volume of clients who we expect to assist through the Clinic, it would be unduly burdensome for NYLAG to absorb the costs of this access.

NYLAG seeks this exemption for an additional two years, through September 18, 2020. If possible, we would like the Court to grant this request *nunc pro tunc* to September 19, 2018, when our prior Order expired. A copy of this prior order is attached.

I would be happy to answer any questions that you might have about this request. Thank you in advance for considering this request.

Sincerely,

Randal S. Jeffrey
General Counsel
New York Legal Assistance Group (NYLAG)

16 MISC 366

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In Re: Application for Exemption from
Electronic Public Access Fees
-----X

Standing Order: M10-468

ORDER

DOC # 1

PACER FEE EXEMPTION ORDER

The Court received an application by Randal S. Jeffrey on behalf of the New York Legal Assistance Group (the "Applicant"), for exemption from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts.

The Court finds, based upon the letter dated October 5, 2016 describing the proposed use that the Applicant has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, the Applicant shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in connection with the project described in the attached letter and application. The Applicant shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court.

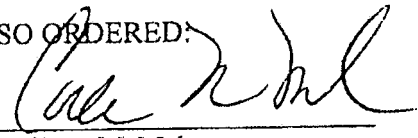
Additionally, the following limitations apply:

1. This fee exemption applies only to the Applicant, and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, the Applicant agrees not to sell for profit any data obtained as a result of receiving this exemption.
4. This exemption is valid from the date of this order through September 18, 2018.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: New York, New York
12 October, 2016

SO ORDERED:


Colleen McMahon
Chief District Judge

